

DISTRICT OF NEVADA

Defendants.

ORDER

Although the general rule is that “the right of a non-party to intervene in a criminal proceeding is doubtful,” *In re Globe Newspaper Co.*, 920 F.2d 88, 90 (1st Cir. 1990), federal courts generally have permitted limited intervention by the media for the purpose of pursuing a

1 request for access to material made part of the record during court proceedings. *See, e.g.,*
2 *United States v. Aref*, 533 F.3d 72, 81 (2d Cir. 2008); *In re Associated Press*, 162 F.3d 503, 507
3 (7th Cir. 1998) (collecting cases); *Stephens Media, LLC v. Eighth Jud. Dist. Ct.*, 221 P.3d 1240,
4 1247 (Nev. 2009) (“[S]everal federal jurisdictions have held that because the First Amendment
5 implicitly guarantees the right to access criminal trials, motions to intervene are procedurally
6 proper when the public or press seeks to intervene for the limited purpose of accessing a
7 criminal proceeding or court documents.”).

8 In the instant Motion, Proposed Intervenors seek leave to file their proposed Motion to
9 Unseal Court Documents. (*See* Mot. to Intervene 4:27–28, ECF No. 2999). Proposed
10 Intervenors are media organizations that “have reported and will continue to report on several
11 of the defendants in this case, which is of vital interest to their readership.” (*Id.* 3:9–10).
12 Proposed Intervenors seek to inform their readers about material made part of the record in this
13 case, specifically, the Government’s investigation mentioned in sealed documents on the
14 Court’s docket. (*Id.* 3:10–11). On May 3, 2016, a similar Motion to Intervene, (ECF No. 358),
15 was filed requesting leave to file an opposition to the Government’s Motion for Protective
16 Order. Judge Leen found that “allowing intervention will promote transparency and the
17 integrity of the judicial proceedings in this case.” (Order Granting Mot. to Intervene 5:20–21,
18 ECF No. 569). For these same reasons, the Court GRANTS Proposed Intervenors’ Emergency
19 Motion to Intervene.

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1 Accordingly,

2 **IT IS HEREBY ORDERED** that Proposed Intervenor's Emergency Motion to
3 Intervene, (ECF No. 2999), is **GRANTED** for the limited purpose of filing their proposed
4 Motion to Unseal Court Documents.

5 **IT IS FURTHER ORDERED** that Intervenor shall separately file the proposed
6 Motion to Unseal Court Documents in compliance with the Court's CM/ECF filing procedures
7 and the Local Rules of Practice.

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9 **DATED** this 14 day of December, 2017.

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14 Gloria M. Navarro, Chief Judge
15 United States District Court
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